

House Bill 1334 (AS PASSED HOUSE AND SENATE)

By: Representative Benton of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for a homestead exemption from City of Commerce independent  
2 school district ad valorem taxes for educational purposes in the amount of \$10,000.00 of the  
3 assessed value of the homestead for certain residents of that school district who are 62 years  
4 of age or over and an additional homestead exemption in the amount of \$20,000.00 of the  
5 assessed value of the homestead for certain residents of that school district who are 65 years  
6 of age or over and whose net income, excluding certain retirement income, does not exceed  
7 \$18,000.00, approved April 25, 2002 (Ga. L. 2002, p. 4349), so as to increase such additional  
8 exemption for such persons from \$20,000.00 to \$40,000; to provide for a referendum,  
9 effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act providing for a homestead exemption from City of Commerce independent school  
13 district ad valorem taxes for educational purposes in the amount of \$10,000.00 of the  
14 assessed value of the homestead for certain residents of that school district who are 62 years  
15 of age or over and an additional homestead exemption in the amount of \$20,000.00 of the  
16 assessed value of the homestead for certain residents of that school district who are 65 years  
17 of age or over and whose net income, excluding certain retirement income, does not exceed  
18 \$18,000.00, approved April 25, 2002 (Ga. L. 2002, p. 4349), is amended by revising  
19 paragraph (2) of subsection (a) of Section 2 as follows:

20 "(2) In addition to the exemption provided for in paragraph (1) of this subsection, each  
21 resident of the City of Commerce independent school district who is 65 years of age or  
22 over on or before January 1 of the year in which application for the exemption under this  
23 paragraph is made is granted an exemption on that person's homestead from all City of  
24 Commerce independent school district ad valorem taxes for educational purposes in the  
25 amount of \$40,000.00 of the assessed value of that homestead."

**SECTION 2.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal election superintendent of the City of Commerce shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Commerce independent school district for approval or rejection. The municipal election superintendent shall conduct that election on the date of the November, 2008, state-wide general election and shall issue the call and conduct that election as provided by general law. The municipal election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Jackson County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be approved which amends the current homestead exemption from the City of Commerce independent school district ad valorem taxes for educational purposes for residents of that school district who are 65 years of age or over and whose net income, excluding certain retirement income, does not exceed \$18,000.00, by increasing the exemption amount from \$20,000.00 to \$40,000.00?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2009, and shall apply to all taxable years beginning on or after January 1, 2009. If the Act is not so approved or if the election is not conducted as provided in this section, this Act shall not become effective and shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Commerce. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

**SECTION 3.**

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.